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Attorneys for Plaintiffs

UNITED STATES DISTRICT COURT  
 SOUTHERN DISTRICT OF CALIFORNIA

LOUIS AND SILVIA MARTINEZ, on  
 behalf of themselves and all other similarly  
 situated,

Plaintiffs,

vs.

FIDELITY NATIONAL FINANCIAL,  
 INC., FIDELITY NATIONAL TITLE  
 INSURANCE COMPANY, TICOR TITLE  
 INSURANCE COMPANY, TICOR TITLE  
 INSURANCE COMPANY OF FLORIDA,  
 CHICAGO TITLE INSURANCE  
 COMPANY, NATIONAL TITLE  
 INSURANCE OF NEW YORK, INC.,  
 SECURITY UNION TITLE INSURANCE  
 COMPANY, THE FIRST AMERICAN  
 CORPORATION, FIRST AMERICAN  
 TITLE INSURANCE COMPANY,  
 UNITED GENERAL TITLE INSURANCE  
 COMPANY, LANDAMERICA  
 FINANCIAL GROUP, INC.,  
 COMMONWEALTH LAND TITLE  
 INSURANCE COMPANY, LAWYERS  
 TITLE INSURANCE CORPORATION,  
 TRANSNATION TITLE INSURANCE  
 COMPANY, STEWART TITLE  
 GUARANTY COMPANY and STEWART  
 TITLE INSURANCE COMPANY

Defendants.

Case No.: 08-cv-00499-L-WMC

NOTICE OF PLAINTIFFS' UNOPPOSED  
 MOTION AND MOTION TO TRANSFER  
 VENUE

SPECIAL BRIEFING SCHEDULE  
 ORDERED

ORAL ARGUMENT NOT REQUIRED

1 TO ALL PARTIES AND THEIR ATTORNEYS OF RECORD:

2 PLEASE TAKE NOTICE that Plaintiffs Louis and Silvia Martinez ("Plaintiffs") will,  
3 and hereby move the Court for an Order to Transfer Venue to the Northern District of  
4 California.

5 This motion is based upon this Notice of Plaintiffs' Unopposed Motion and Motion to  
6 Transfer Venue, the Memorandum of Points and Authorities in support thereof, the Declaration  
7 of John L. Haeussler in Support of Unopposed Motion to Transfer Venue and any supplemental  
8 memorandum filed by counsel and oral argument made by counsel in connection herewith.

9  
10 DATED: August 11, 2008

Respectfully submitted,

11 BARRACK, RODOS & BACINE  
12 STEPHEN R. BASSER  
JOHN L. HAEUSSLER

13  
14 /s/ John L. Haeussler  
JOHN L. HAEUSSLER

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23 Attorneys for Plaintiffs Louis and Silvia  
24 Martinez  
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28

**CERTIFICATE OF SERVICE**

*Martinez v. Fidelity, et al.*  
Case No.: 08-cv-00499-L-WMC

I, the undersigned, state that I am employed in the City and County of San Diego, State of California; that I am over the age of eighteen (18) years and not a party to the within action; that I am employed at Barrack, Rodos & Bacine, One America Plaza, 600 West Broadway, Suite 900, San Diego, California 92101; and that on August 11, 2008, I served true copies of the attached:

**NOTICE OF PLAINTIFFS' UNOPPOSED MOTION AND MOTION TO  
TRANSFER VENUE**

to the parties listed on the attached Service List by the following means of service:

- ☒ **BY E-FILE:** I electronically filed the foregoing with the Clerk of the Court using the CM/ECF system.
- ☒ **BY E-MAIL:** I e-mailed a true copy addressed as indicated in the attached Service List, on the above-mentioned date.
- ☐ **BY MAIL:** I placed true copies in a sealed envelope with postage thereon fully prepaid and addressed to the parties listed on the attached Service List, on the above-mentioned date. I am familiar with the firm's practice of collection and processing correspondence for mailing. It is deposited with the U.S. Postal Service on that same day in the ordinary course of business and there is a regular communication by mail between the place of mailing and the place so addressed.
- ☒ **BY UPS:** I placed a true copy in a sealed envelope and addressed to the parties listed on the attached Service List, on the above-mentioned date. It was deposited with UPS on that same day in the ordinary course of business and there is a regular communication via UPS between the place of mailing and the place so addressed.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct. Executed this 11th day of August, 2008.



CINDY ORIHUELA

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**California Title Insurance**

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